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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 VINCENT GEORGE PARKS,

12 Defendant.
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Case No. 2:98-CR-00309

ORDER

14 Before the Court is Defendant Vincent George Parks' ("Parks") Motion for Certificate of
15 Appealability under 28 U.S.C. § 2253 (#252). However, Plaintiff's Motion is filled with headings
16 which refer to the "United States Court of Appeals for the Ninth Circuit." Thus, it appears that
17 Plaintiff has filed his Motion with this Court by mistake.

18 Even if Plaintiff did intend to file his Motion with this Court, a certificate of appealability
19 may issue "only if the applicant has made a substantial showing of the denial of a constitutional
20 right." 28 U.S.C. § 2253(2). Plaintiff fails to make this showing.

21 Accordingly, Plaintiff's Motion (#252) is **HEREBY DENIED**.

22 DATED this 30th day of August 2013.
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26 Kent J. Dawson
United States District Judge